IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.6645 OF 2004

Shri Jagdamba Anusuchit Jaati Shetkari)
Veenkari Sahakari Sooth Girni Niyamit).. Petitioner

Versus

The Union of India and others).. Respondents

Mr.Surel S. Shah for the Petitioner.

Mr.Suresh Kumar i/b.S.S.Sarkar for the Respondents.

CORAM: H.L. GOKHALE AND S.P. KUKDAY, JJ.

DATED: 22ND JUNE 2005

P.C.:

. The Petitioner filed by a Co-operative Society which claims to be covered under the Multi State Co-operative Societies Act claims an exemption from the coverage of the Employees' Provident Fund Act on the ground that it has its own provident fund for its employees which is more beneficial. Mr.Suresh Kumar appearing for the Respondents has submitted that the Petitioner Society is not eligible for exemption. Even so, we find that the Petitioner Society having made a representation for this purpose on 2nd September 2003 to the Secretary, Ministry of Labour, the same was not decided. Mr.Shah, learned Counsel for the Petitioner, states that the Petitioner will make a better representation giving appropriate particulars. All that

we expect is that the concerned Ministry will decide the representation on its own merits. We expect the authority to decide the representation at the earliest after giving proper opportunity to the Petitioner. Petition disposed of.

(H.L. GOKHALE, J.)

(S.P. KUKDAY, J.)